

Message Text

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PAGE 01 LIMA 10618 192315Z

12

ACTION OPIC-06

INFO OCT-01 ARA-06 ISO-00 EB-07 L-03 AID-05 /028 W

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R 192136Z NOV 76

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 2748

LIMITED OFFICIAL USE LIMA 10618

E.O. 11652: N/A

TAGS: EFIN, PE

SUBJECT: CELANESE CLAIM

REF: STATE 281461

1. IT APPEARS THAT THE USG CAN LEGALLY EFFECT DE FACTO PURCHASE OF SOLES UNDER AN INCONVERTIBILITY CLAIM IN ACCORD WITH OUR BILATERAL AGREEMENT WITH PERU ON GUARANTY OF PRIVATE INVESTMENTS IN EFFECT FROM MARCH 16, 1955. PRIOR APPROVAL BY THE GOP IS NOT REQUIRED ACCORDING TO TERMS OF THAT AGREEMENT.

2. IN EVENT OF AN OPIC FINDING IN FAVOR OF CELANESE, THE EMBASSY SHOULD HAVE AT HAND, AS A MINIMUM, A) THE DOCUMENT OR DOCUMENTS WHICH CONSTITUTE GOP APPROVAL OF THE SPECIFIC CELANESE INCONVERTIBILITY GUARANTEE, B) A LIST OF OTHER U.S. FIRMS IN PERU WHO HAVE VALID OPIC INCONVERTIBILITY GUARANTEES. WOULD OPIC/DEPARTMENT PLEASE FORWARD THESE MATERIALS? GOP DOCUMENT OF APPROVAL IS REQUIRED BECAUSE THE BILATERAL AGREEMENT PARA 2 STATES QUOTE: THE GOVERNMENT OF THE UNITED STATES AGREES THAT IT WILL ISSUE NO GUARANTY WITH REGARD TO ANY PROJECT UNLESS IT IS APPROVED BY THE GOVERNMENT OF PERU. UNQUOTE.

3. QUESTION OF LEGALITY OF .25 PERCENT BANK COMMISSION STILL BEING PURSUED WITH GOP BY EMBASSY. WILL ADVISE AS SOON AS INFORMATION DEVELOPED. DEAN

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Message Attributes

Automatic Decaptioning: X
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